

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LYNNE FREEMAN,

Plaintiff,

vs.

TRACY DEEBBS-ELKENANEY P/K/A

TRACY WOLFF, et al.,

Defendants.

Case No.: 1:22-cv-02435-LLS-SN

**DEFENDANTS' NOTICE OF MOTION FOR SUMMARY
JUDGMENT ON THE COPYRIGHT CLAIMS AND IN OPPOSITION
TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, Defendants Tracy Deebbs-Elkenaney p/k/a Tracy Wolff, Entangled Publishing LLC, Emily Sylvan Kim, Prospect Agency, LLC, Holtzbrinck Publishers, LLC d/b/a Macmillan, and Universal City Studios LLC (collectively, "Defendants"), through their respective undersigned counsel, upon the accompanying (i) Memorandum of Law in Support of Defendants' Motion for Summary Judgment on the Copyright Claims and in Opposition to Plaintiff's Motion for Summary Judgment, (ii) Defendants' Consolidated Local Rule 56.1 Statement of Material Facts; (iii) Declaration of CeCe M. Cole dated December 22, 2023 and the exhibits annexed thereto; (iv) Declaration of Tracy Wolff dated December 22, 2023; (v) Declaration of Elizabeth Pelletier dated December 22, 2023; (vi) Declaration of Emily Sylvan Kim dated December 22, 2023; (vii) Request for Judicial Notice in Support of Defendants' Motion for Summary Judgment on the Copyright Claims and in Opposition to Plaintiff's Motion for Summary Judgment; (viii) Defendants' Objection to and Motion to Strike Evidence Submitted With Plaintiff's Summary Judgment Motion and Released Local Rule 56.1 Statements; and (ix) Defendants' Response to Plaintiff's Local Rule 56.1 Statement of Material Facts, hereby move

this Court at the United States District Court for the Southern District of New York, 40 Foley Square, Courtroom 430, New York, New York 10007, before the Honorable Sarah Netburn, on a date and time to be designated by the Court, for an order: (1) granting summary judgment in favor of Defendants on Plaintiff's copyright claims pursuant to Fed. R. Civ. P. 56 and (2) granting such other order and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's October 11, 2023 Order (ECF No. 269), Plaintiff's opposition must be served by January 31, 2024 and Defendants' reply must be served by February 21, 2024.

Dated: New York, New York
December 22, 2023

Respectfully submitted,

**COWAN DEBAETS ABRAHAMS
& SHEPPARD, LLP**

By: /s/ Nancy E. Wolff

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CERTIFICATE OF SERVICE

I, Nancy E. Wolff, hereby certify that a true and correct complete copy of Defendants' Notice of Motion for Summary Judgment on the Copyright Claims and in Opposition to Plaintiff's Motion for Summary Judgment and all documents and exhibits annexed thereto has been served on all counsel of record via the Court's CM/ECF service.

/s/ Nancy E. Wolff
Nancy E. Wolff